

FINAL MEETING SUMMARY

HANFORD ADVISORY BOARD

COMMITTEE OF THE WHOLE

May 20, 2003

Richland, WA

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This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

Report on the Hanford Solid Waste Environmental Impact Statement (HSW-EIS) Public Meetings.

Mike Collins, Department of Energy-Richland Operations Office (DOE-RL), began the meeting by announcing that DOE had extended the comment period on the HSW-EIS by 15 days to June 11.

Mike recapped what DOE heard at the six public meetings on the EIS. The most consistent message is that the public would like to see a full Hanford site-wide EIS. Transportation of waste was also a big concern, as were two issues with how the EIS considered groundwater: it looked at contamination 1 kilometer from the source rather than at the point of compliance, and the maximum contaminate levels (MCLs) exceeded drinking water standards.

Greg deBruler mentioned one comment that stood out for him at the Hood River public meeting: why does transuranic (TRU) waste have to come to Hanford before shipment to the Waste Isolation Pilot Plant (WIPP)? Why can't it be shipped directly to WIPP? Mike clarified that processing capabilities at WIPP do not currently include the ability to repackage remote-handled TRU. Max Power, Washington Department of Ecology (Ecology), further clarified that DOE had initially looked at building a TRU processing facility at WIPP, but changed their minds when the Inspector General determined that the facility was not necessary since there is already capacity in other places.

Committee Discussion

On the issue of a site-wide EIS, Mike said DOE believes the scope of the EISes done to date meets National Environmental Policy Act (NEPA) requirements. There is currently no plan to have an additional document showing cumulative impacts from all the EISes; the Systems Assessment Capability (SAC) will continue to be developed so it can cover everything. Several committee members expressed concern that DOE believes this approach is sufficient, as decisions will be made without consideration of cumulative impacts. In addition, committee members felt there are deficiencies going back to the Waste Management Programmatic EIS (WMPEIS) and asked what would have to happen in order for decisions to be reopened. Mike explained that the WMPEIS would have to be challenged directly in order to change any existing decisions.

The committee also discussed the “piecemeal” approach of the EIS in relation to the Tank Waste EIS currently underway. Mary Burandt, DOE-Office of River Protection (DOE-ORP), answered questions about the scope of that EIS. For disposal of the tank wastes, DOE will look at the performance of waste forms within the context of the entire Hanford disposal system.

Regulator Comments – Ecology

Fred Jamison, Ecology, reported that Ecology has been scrutinizing the EIS and continues to find additional areas where they’d like to see more information. Total cumulative impacts are not addressed, nor are inventories and impacts from chemicals in the burial grounds. Fred listed some areas of Ecology concerns:

- some waste forms have been left out so total risk cannot be calculated
- current conditions are not clearly explained
- tank farm releases are not adequately covered
- coverage at the Environmental Restoration Disposal Facility (ERDF) is not clear
- pre-1970s TRU is not addressed
- the transportation analysis was based on 1990 data
- the terrorist risk analysis is inadequate
- the hazardous components of TRU treatment are not acknowledged
- TRU processing and shipping schedules are not detailed
- the analysis of impacts is too limited
- chemical risks are not separated from radiological risks
- the EIS doesn’t address low level waste (LLW) risks
- Ecology can’t find sufficient eco-analysis

Fred said Ecology has not yet come to any final conclusions about the EIS. They are matching DOE’s response to the original comments and some additional information does seem to be in the new draft. Ecology is looking at opportunities to provide information to DOE to make the EIS more productive, as well as looking at its limitations.

Max Power added that Ecology still needs to understand what decisions DOE will make based on this EIS and when they’ll make them; it is not very clear. Ecology could be supportive of some of those decisions, but they can’t know without more information.

Max added that Ecology is trying to be as clear as possible in communicating expectations to DOE. The more that is in the EIS, the better.

Committee members asked where Ecology is with regard to the exercise of authority and the incompleteness of the EIS. Fred replied they haven't finalized any decisions yet; as part of the tools they will use to manage their response to the EIS, they want to understand what decisions will be made that are not addressed in the EIS and then they can see what the agency under its authority can enforce.

Committee Discussion

The state has one approach with commercial sites - they can't issue a final EIS until impacts have been assessed - is that, in terms of permit action, something that might be a road map for what Ecology would need for the State Environmental Policy Act (SEPA)? Fred replied that in all generally deficient areas (not just on a commercial site), Ecology can call for supplemental analyses, especially if permitting is affected.

Committee members expressed concern that Ecology doesn't have enough time within the comment period to do an adequate job analyzing the EIS. Fred admitted they will be pressed, but he thinks they'll emerge with a good statement, covering both major concerns and detailed comments.

Regulator Comments – U.S. Environmental Protection Agency (EPA)

Dave Einan, EPA, explained they have 5 people looking at the EIS and their concerns are very similar to Ecology's. They still think DOE has to analyze groundwater impacts at facility boundaries; analyze route-specific transportation impacts; and include mitigation actions as part of the alternatives. In addition, DOE needs to build in mitigations and treatments rather than waiting for impacts. The real question is has DOE attempted to address impacts and how well have they done it?

Dennis Faulk, EPA, added that there is a lot of concern about sending offsite waste to Hanford, which "mucks up" this EIS. He feels DOE has to deal with Hanford waste first; it would have been nice to separate those two points in this EIS.

Committee Discussion

Committee members expressed concern that EPA seemed to be saying this draft is adequate for making decisions. What has changed in this draft that allows EPA to say it's now adequate? Dave emphasized EPA has always added the caveat that it is adequate "provided our comments are addressed." In response to the suggestion that EPA needs to say this draft is inadequate, Dennis pointed out that DOE is not going to issue another draft and what EPA is focused on is saying what the Final EIS must contain. Still, some committee members felt a finding of inadequacy from EPA is important.

Public Meeting Themes

Gerry Pollet added that the #1 comment heard at the public meetings had not been mentioned yet: the demand for an end to dumping in unlined trenches this year. The EIS has no timeline for ending this dumping and none of the alternatives look at it. Congressional statements presented at the meetings also supported ending the practice.

Other comments from the meetings: all the alternatives included offsite waste; none looked at Hanford-only waste to see if groundwater standards are being exceeded by what's already on site before adding more waste. There were also a lot of comments on the piecemeal approach and why DOE will be asking the public to come back later to comment on the tanks EIS when that analysis should be in here.

Work on Advice

The committee spent the remainder of the meeting time discussing what should be in the Board advice on the EIS. Those points are captured on the following pages.

Major Points

site wide EIS required 1st as committed/required in PEIS

EIS does not address all existing Hanford waste

the analysis done shows it exceeds reg. limits

the limited analysis shows significant human impacts -
Board advised Native Amer. exposure scenario

also fails to address additional impacts of offsite waste

DOE may not irreversibly & irretrievably commit
groundwater

reference past advice on importation for disposal – don't
until site wide EIS is done

for Hanford-origin waste, this EIS is inadequate

EPA Region X should not agree to inter-regional movement
of CERCLA waste to Hanford unless & until the risks from
Hanford meet regulatory limits

we conclude that the EIS is inadequate to support/make any
of the decisions identified in the cover letter

Board previously advised ILAW in glass
should be retrievably stored – this moves
away from that (reiterate Board advice)
inadequate analysis

groundwater points of compliance must be
analyzed

cannot decide size or location or
design of any facility w/o analyzing
groundwater impacts at the facility
boundary (reg. point of compliance)

Additional Points

risks not analyzed in PEIS or HSW-EIS

ER waste – offsite: should it be disposed at Hanford or elsewhere
look at impact on health & groundwater at Hanford

no facility analyzed in EIS for TRU or how to treat

HSW-EIS includes offsite ER waste and cites WMPEIS as authority. WMPEIS excluded analysis of ER waste and lacks any authority for ER waste decisions

ER waste not analyzed in WMPEIS for transport of disposal. Reasonable alternatives with greater environmental & health benefits exist for ER disposal. DOE must fully consider & compare impact of disposal at Envirocare

actual conditions (TRU) not considered

EIS TRU waste impact evaluation inadequate and does not meet previous commitments

does not analyze all TRU as mixed waste per previous commitments

DOE decided to send TRU to WIPP. Hanford lacks treatment capability. TRU should not come to Hanford for non-existent treatment.

WMPEIS assumes TRU waste treated before shipping

lack of closure on previous EIS issues

should not pay for offsite waste (treat/dispose) out of Hanford cleanup

need facility to deal with SNF sludge. EIS ignores

K-Basin sludge - EA – no hazard or treatment analysis. How will it be dried?

DOE previously (1975) committed to analyze Pu mobility. EIS has not

ecosystems

failed to analyze impacts

failed to analyze ecosystem impacts caused from all burial grounds at Hanford, contaminating groundwater & groundwater reaching riparian zone

MTCA has specified road map for eco risk – not used

failed to assess sustainability of ecosystem and sustainability of endangered species

transportation

analysis addressed interstate, not local roads/EP	Oregon bridges in bad shape, need specific analysis detours	mountain passes and urban areas
EIS did not consider site specific or route specific issues	condition of roads facilities pick up & delivery – what’s being shipped (danger)	mixed waste acc. analysis appears inadequate
70,000 loads, # trucks on road problems – need railroads	did not consider: risk of weather terrorist attack, accidents – PEIS promised this	may require detour thru Idaho & Spokane – not analyzed
used 1990 census data – must use 2000 data		

integration between TW-EIS and HSW-EIS

integration of TWRS & all other EISes	unreasonably fragments evaluation of impacts -ILAW form later -ILAW impacts analyzed now How?!	uses unproven model(s) -model (SAC) diverges from reality -fails to predict Tc-99 in groundwater.
not integrated (see AI’s comments)	cumulative impact analysis should include tank EIS that is just starting – no decision can or should be made until	

public involvement

inadequate time to review & comment	comment period extension after public mtgs – inadequate prep time	
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scope

this EIS – as the Hanford Solid Waste EIS – should disclose current conditions in burial grounds; impacts of those conditions; and actions to cure – with pref. alt of 4/30/03 Ecology order

Hanford Site EIS (should include):

- existing contamination
- pre-70s, Navy, commercial
- ILAW form
- tank closure
- HSW
- impact of offsite wastes

what the HSW-EIS is:

decision for design & location of future Hanford site sw disposal

ERDF should not be analyzed for offsite waste because of prior DOE/EPA commitments

what the HSW-EIS is not:

- Hanford site EIS
- treatment of SW
- basis for acceptance of offsite waste (inventory, transport)
- TRU (receipt, treatment, storage, shipping)

No Action should show impact if DOE does not retrieve & characterize & treat wastes from LLBG's and characterize releases with a schedule for groundwater monitoring

irretrievably committing groundwater

trumps RCRA & CERCLA – EPA concern

DOE does not won the gw – show extent of restriction

ignores legal requirement to clean up gw to highest beneficial use

cumulative impact of existing waste not shown – cannot decide to add more without knowing cumulative impact

groundwater is a precious state resource. DOE may not use gw for waste disposal mitigation to prevent irreversible/irretrievable commitment or restriction of groundwater is required to be addressed, but is not

gw – 1 km

protection of groundwater must occur at the boundary of the disposal/release sites.

Additionally, overlapping plumes from prior releases are not allowed to exceed regulatory limits anywhere

EIS cannot propose to violate regulatory standards

other

minimum expectation that any disposals are protective of soil & gw & do not release

proposed alternatives do not meet minimum expectations – other alts required

regs

if the regs think it's inadequate, say so, rather
than putting conditions on acceptance

Board urges regulators to consider SW-EIS's adequacy
when making regulatory decisions

Attendees

HAB Members and Alternates

Allyn Boldt	Greg deBruler	Gerry Pollet
Madeleine Brown	Dirk Dunning	Mike Priddy
Pam Brown	Harold Heacock	Keith Smith (by phone)
Jim Curdy	Robert Larson	Jim Trombold (by phone)
Al Conklin	Maynard Plahuta	Wade Riggsbee

Others

Michael Collins, DOE-RL	Fred Jamison, Ecology	Nancy Myers, BHI
Yvonne Sherman, DOE-RL	Max Power, Ecology	Lynn Lefkoff, EnviroIssues
Mary Burandt, DOE-ORP	Dave Einan, EPA	Penny Mabie, EnviroIssues
	Dennis Faulk, EPA	Barb Wise, Fluor Hanford
		Kim Ballinger, Navarro
		Sharon Braswell, Nuvotec
		Jan Gilbert, Portland Citizen